

# **CITY OF WILLAMINA**

## **NOTICE OF CITY COUNCIL DECISION AND APPEAL RIGHTS**

---

Legislative Amendment, 2019-01  
City Council Hearing: September 10, 2019

**NOTICE DATE:** September 11, 2019  
**FILE NUMBER:** LA 2019-01  
**APPLICANT:** City of Willamina

**LOCATION:** Citywide

**REQUEST:** Amendment to the Willamina Development Code to reduce the minimum lot size, frontage, and setback requirements in the Two-Family Residential (R-2) Zone.

**CRITERIA:** **Willamina Development Code:**  
Section 2.102: Two-Family Residential District (R-2)  
Section 3.207: Type IV Actions  
Willamina Comprehensive Plan  
Oregon Statewide Goals and Guidelines

### **I. SUMMARY OF PROPOSAL**

Proposal is for amendments to the Willamina Development Code to reduce the minimum lot size in the R-2 zone from 6,000 to 5,000 square feet, to reduce the frontage requirement in the R-2 zone from 60 to 50 feet, and to reduce the interior side setback requirement from 7.5 feet to 5 feet. Also, to establish the frontage requirement for townhouses in the R-2 zone as 25 feet.

A Legislative Amendment is a Type IV action. A Type IV action is a legislative review in which the City considers and enacts or amends laws and policies. Private parties cannot request a Type IV action. It must be initiated by City staff, Planning Commission, or City Council. Public notice and hearings are provided in a Type IV process.

The Willamina City Council initiated these amendments at a regular meeting of the City Council on July 15, 2019. The minutes of this meeting are included as Exhibit C of the staff report.

Notice of the hearings before the Planning Commission and the City Council was published in the News-Register on August 9, 2019, at least ten days before the initial hearing.

Notice of the proposed amendments was sent to the Department of Land Conservation and Development on July 22, 2019.

A request for comment was sent to the City Engineer and the City Public Works Department. No comments or concerns were noted.

The City of Willamina Planning Commission considered the proposal at a public hearing on August 27, 2019. After review of the staff report and consideration of public comment, the Planning Commission voted to recommend approval of the proposed amendments.

The City of Willamina City Council considered the proposal at a public hearing on September 10, 2019. After review of the staff report, the City Council voted to approve the proposed amendments to the Willamina Development Code.

## **II. DECISION**

A properly noticed public hearing was duly held on this application before the Willamina City Council on September 10, 2019. Notice of the hearing was published in News Register on August 9, 2019.

After the hearing was closed, the City Council deliberated on the issues and unanimously voted to adopt the findings contained in the staff report and to approve the proposed amendments to the Development Code.

## **III. APPEAL RIGHTS**

A party who established standing by participating in the public hearing process orally or by written comment may appeal the decision to the Oregon Land Use Board of Appeals (LUBA), or if the decision is different from the proposal described in the notice of hearing to such a degree that the notice of the proposed action did not reasonably describe the City's final actions, a party adversely affected by the decision may appeal the decision to LUBA.

A Notice of Intent to Appeal and the filing fee must be received by LUBA at 775 Summer Street, Suite 330, Salem, OR 97301-1283, no later than October 2, 2019, 21-days after the date this Notice of Decision was mailed or emailed. The decision for LA 19-01 was mailed on September 11, 2019.

A party appealing the City Council's decision to LUBA must comply with the requirements set forth in Oregon Revised Statute 197.830 and any applicable Oregon Administrative Rules, including but not limited to Oregon Administrative Rule 661, Rules of Procedure For Appeals.

A copy of the application, all documents and evidence submitted by or on behalf of the applicant and applicable criteria are available for inspection at no cost and will be provided at reasonable cost.

If you have questions, please contact the City Planner, Lisa Brosnan, at 503 540-1616 or [lbrosnan@mwvcog.org](mailto:lbrosnan@mwvcog.org).